



1. Plaintiff's Motion for Summary Judgment is GRANTED.
2. Defendant's Motion for Summary Judgment is DENIED.
3. The Defendant has violated the Idaho Securities Act as alleged in the Verified Complaint on file herein.
4. The Defendant is permanently enjoined from engaging in any acts, practices or omissions which would constitute violations of the Idaho Securities Act, Title 30, Chapter 14, Idaho Code, and in particular, the Defendant is permanently enjoined from:
  - a. Selling or offering for sale nonexempt securities in any form in the State of Idaho until such time as the securities have been registered with the Idaho Department of Finance in accordance with Title 30, Chapter 14, Idaho Code;
  - b. Selling or offering for sale nonexempt securities in any form in the State of Idaho until such time as the Defendant has registered as a broker-dealer or salesman for a broker-dealer or issuer with the Idaho Department of Finance, in accordance with Title 30, Chapter 14, Idaho Code;
  - c. While engaged in or in connection with the offer, sale or purchase of any security:
    - i. Employing any device, scheme or artifice to defraud any investors in the securities;
    - ii. Making any untrue statement of a material fact or omitting to state a material fact necessary in order to make the statements made, in light of the circumstances under which they are made, not misleading;

- iii. Engaging in any act, practice or course of business which operates or would operate as a fraud or deceit upon any person.
- d. Aiding, abetting, counseling, inducing or causing any other person to engage in any of the types of conduct described in paragraphs a, b, or c, above.
- 5. The Defendant is prohibited from claiming the availability of, using, or offering or selling securities, under any exemptions under the Idaho Securities Act without receiving the prior written consent of the Director of the Idaho Department of Finance.
- 6. The parties shall bear their own costs and attorneys fees which were incurred in this matter.

Dated this 14<sup>th</sup> day of October, 2004.



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HON. RICHARD T. ST. CLAIR  
District Judge


**CLERK'S CERTIFICATE**

I HEREBY CERTIFY that on this 14th day of October, 2004, I served a true and correct copy of the foregoing JUDGMENT upon the following persons by the designated means:

Thomas L. Goodrich  
P.O. Box 50577  
Idaho Falls, Idaho 83405-0577

☒ U.S. Mail, postage prepaid

Joseph B. Jones  
Deputy Attorney General  
Idaho Department of Finance  
700 W. State Street – 2<sup>nd</sup> Floor  
P.O. Box 83720  
Boise, Idaho 83720-0031

  
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Clerk